

Attorney Docket No.: 944-1.43
Serial No.: 09/777,520

REMARKS

The Examiner called on Sept. 30, 2004, and explained that since U.S. Pat. No. 6,748,202 has now issued, a new Office action would be issued rejecting one or more claims of the application under the doctrine of obviousness-type double patenting as being unpatentable over at least some of the claims of the '202 patent, unless a terminal disclaimer is filed. With this paper, a terminal disclaimer in respect to the '202 patent is provided.

Conclusion

With the terminal disclaimer provided herewith, it is believed that all of the claims of the application are in condition for allowance and their passage to issue is earnestly solicited.

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Date

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